

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

JUN 5 2019

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JOHN ERIC SMITH,

Plaintiff-Appellee,

v.

UNITED STATES OF AMERICA,

Defendant-Appellant.

No. 19-35011

D.C. No. 1:16-cv-00690-CL  
District of Oregon,  
Medford

ORDER

Appellant's motion to dismiss this appeal (Docket Entry No. 22) is granted.

Fed. R. App. P. 42(b). The parties shall bear their own costs on appeal.

A copy of this order shall serve as and for the mandate of this court.

FOR THE COURT

By: Jonathan Westen  
Circuit Mediator

JW/Mediation